IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 969 OF 2005
ALONGWITH
CRIMINAL APPLICATION NO. 970 OF 2005

Mrs. Namrata B. Shastri ...Applicant

Versus

Mrs. Sharad Rajeshwarnath Capor
and others ...Respondents

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Mr. A.Z. Mookhtiaz i/b K. J. Somane, Advocate for Applicant

Mr.S.K. Pundav, Adv. for Respondent No.1

Mr. R.S. Khadapkar, A.P.P.for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 7TH OCTOBER, 2005

P. C.:-

1. Heard the learned advocate for the applicant i.e. original accused No.2, the learned advocate for the respondent i.e. original complainant and the learned A.P.P.for the State. The complainant is present in person before the Court.

2. The applicant is seeking quashing of complaints filed against her. The said complaints are bearing Nos. 185/S/2003 and 186/S/2003 which are pending before the learned Magistrate, 47th Court, Esplanade, Mumbai. The said cases are under Section 138 of

Negotiable Instruments Act.

3. The respondent No.1 i.e. original complainant, present in person, states that the dispute has been amicably settled between her and the applicant i.e.the original accused No.2 who was earlier owner of M/s. Prima Associates and the complainant does not wish to pursue her complaints in respect of the applicant i.e. original accused No.2. It is stated that the complainant will now prosecute the cases only in respect of the respondent No.2 i.e. original accused No.3 and M/s. Prima Associates which has been bought over by the respondent No.2 i.e. original accused No.3. The consent terms in respect of both the cases, which have been arrived at by the parties, is taken on record and marked "X" for identification.

4. In view of the consent terms the prayer of the applicants can be considered, hence, the complaint Nos. 185/S/2003 and 186/S/2003 and the proceedings relating thereto in respect of the present applicant are quashed.

5. Applications are disposed of in terms of the above order.

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